

MIGRATORY CHILDREN

ESSA ELIGIBILITY FACTORS

1. AGE

- The child is younger than age 22. ESEA § 1115(c)(1)(A); 34 CFR § 200.103(a); NRG Ch. 2 A1.

2. SCHOOL COMPLETION

- The child is entitled to a free public education through grade 12 under State law, or is not yet at a grade level at which the local educational agency (LEA) provides a free public education.
ESEA § 1115(c)(1)(A); 34 CFR § 200.103(a). NRG Ch. 2. A1.

3. MIGRATORY WORKER AND QUALIFYING WORK

- The worker made a qualifying move (*from one district to another, from one residence to another and due to economic necessity*) in preceding 36 months, **AND**

- The worker
_____ engaged in new qualifying work soon after that move (within 60 days); **OR**
_____ did not engage in new qualifying work soon after that move, but the worker
- actively sought new qualifying work, **AND**
 - has a recent history of moves (*at least two in the last 36 months*) where he or she **engaged** in temporary or seasonal, agricultural or fishing employment.

- The new qualifying work is seasonal or temporary, **AND**
Temporary statement includes who said it was temporary work and how long the temporary work will last.

- The new qualifying work is agricultural or fishing.
ESEA § 1309(2), (4) and (5). 34 CFR § 200.81 (a), (c), (j), (m) – (p). NRG Ch. 2 C1 and 2.

4. QUALIFYING MOVE FOR THE CHILD

- The move was from one school district to another, **AND**
- The move was a change from one residence to another residence, **AND**
- The move was due to economic necessity.
ESEA § 1309(5). NRG Ch. 2 A1 and D1.

5. QUALIFYING ARRIVAL DATE (CHILD'S QAD)

- The child's qualifying move (*from Section 4*) was
_____ **with**, to **join**, or to **precede** a parent/guardian or spouse who is a migratory agricultural worker or migratory fisher (*as defined in Section 3*) (*Type of Move*), **OR**
_____ **on his or her own** as a migratory agricultural worker or a migratory fisher (*as defined in Section 3*), **AND**

- _____ occurred in the preceding 36 months. (*Time of Move*)

The child's QAD for MEP eligibility is _____. NRG Ch. 2 E1 – E4.